

REMARKS

Claims 1, 4-7, 9, 12-14, and 16-21 are pending in the application.

By the foregoing Amendment, claims 1, 4-7, 9, 12-14, 16, and 21 are amended.

Primarily, the claims are amended to recite their elements in means-plus-function format, in order to emphasize their functions. The “coupled to” limitations have been deleted, as they are rendered superfluous by recitation of the various elements in means-plus-function format. In addition, claim 1 has been amended to clarify that the client view means (formerly the “client view system”) and the workflow means (formerly the “workflow system”) are included as part of the portal means (formerly the “portal systems”); and claim 21 has been amended to clarify that the management interface means (formerly the “management interface system”) and the client view means (formerly the “client view system”) are included as part of the portal means (formerly the “portal system”). Conforming amendments are made throughout the claims.

These changes are believed not to introduce new matter, and entry of the Amendment is respectfully requested.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections, and withdraw them.

Allowable Subject Matter

In a telephone conference in early December 2005, the Examiner indicated to applicant’s undersigned counsel that claims 1, 14, and 21 would be allowable if amended to incorporate the limitations of claims 17 and 20. However, in the Office Action, claims 17 and 20 were both rejected based on prior art as discussed below. Applicant accordingly requests clarification

regarding the current rejection of claims 17 and 20 and why the Examiner changed his mind regarding their allowability since the telephone conference.

Rejections under 35 U.S.C. § 103

1. Claims 1, 4, 5, 9, 13, 14, 17, and 21

In paragraph 4 of the Office Action, claims 1, 4, 5, 9, 13, 14, 17, and 21 were rejected under section 103(a) as being unpatentable over Smith in view of Oberdorfer. To the extent the Examiner may consider this rejection to be applicable to the claims as presently amended, it is respectfully traversed as being based upon references that do not teach or suggest the claimed invention.

As recited in amended claim 1, the plurality of computer network management means perform the function of generating management data concerning monitored operating events of the enterprise network that are in need of correction. “Management data” does not encompass all types of data processed by an enterprise network, nor does “operating events” encompass all events taking place within the context of an enterprise network.

According to the specification, enterprise network management systems are used to monitor and control enterprise network operations; they allow the systems and hardware components that make up an enterprise network to be monitored and managed by one or more users that may be physically dispersed, organizationally dispersed, or otherwise unable to coordinate activities in a central location. Each management system provides a type of management data for the network, such as device status data, event data, device performance monitoring data, or other suitable data. The usage of “network management” in the application is consistent with its meaning as would be understood by a person of ordinary skill in the art:

“Monitoring an active communications network in order to diagnose problems and gather statistics for administration and fine tuning.” (*Computer Desktop Dictionary*, <http://www.answers.com/topic/network-management>)

The specification defines “operating events” as “an alarm, network, or system event,” and provides as examples of “operating events” a system malfunction, a system error, a device misoperation, or any other condition that requires operator attention.

In the Office Action, Smith was characterized as teaching all the limitations of claim 1 except for the single browser limitation; and Oberdorfer was cited as teaching the single browser limitation.

Among other things, the Office Action characterizes Smith as teaching “a plurality of computer network management systems (330, 338, 334, 336 fig. 3) that provide management data for the enterprise network, each computer network management producing management data concerning monitored operating events that are in need of correction (providing ordering and tracking information to consumer’s information, see abstract, fig. 3, col. 7 line 28 to col. 8 line 42).”

It is respectfully submitted that in light of the definitions of “computer network management system” and “management data” and “operating events” implicit in the specification, Smith does not teach or suggest a plurality of computer network management means as recited in claim 1.

Smith discloses an online system for locating consumer products having a specific configuration in an enterprise production pipeline. Smith is also concerned with inventory control. The elements of Smith’s system referenced in the Office Action are as follows:

330 dealers

- 338 inventory importer
- 334 financing processor
- 336 prospect/buyer database

The dealers 330 are business entities that provide data for their current inventory. The inventory importer 338 (which in Smith's specification is reference number 328) obtains data from the dealers 330 and other sources. The financing processor 334 receives and verifies customer credit information and processes financing for completion of a sale. The prospect/buyer database 336 is a database in which a consumer who is not currently interested in purchasing or leasing a vehicle can cause the vehicle selection information to be stored.

Clearly, none of Smith's element's 330, 338, 334, and 336 provides network management as that term is used in the application or as commonly understood by those of skill in the art. Further, none of Smith's element's 330, 338, 334, 336 perform the function recited in the claim of "generating management data concerning monitored operating events of the enterprise network that are in need of correction" within the meaning of "management data" and "operating events" as used in this application. The data provided by the dealers 330 and obtained by the inventory importer 338, as well as the data in the prospect/buyer database 336 all relate to vehicle specifications; while the data processed by the financing processor 334 relate to customer credit information. They do not in any way resemble or fall within the same category as device status data, event data, device performance monitoring data, and the like, given in the specification as examples of "management data"; or an alarm, network, or system event, or a system malfunction, a system error, a device misoperation, or any other condition that requires operator attention, given in the specification as, respectively, the definition and examples of "operating events."

As Smith's elements 330, 338, 334, 336 do not generate management data, much less management data concerning monitored events, they cannot constitute a plurality of computer network management means for generating management data concerning monitored operating events of the enterprise network that are in need of correction, as suggested in the Office Action. In the absence of a teaching of computer network management means as recited in claim 1, it follows that Smith also cannot teach or suggest the following elements recited in claim 1:

- management interface means for receiving the management data from the plurality of computer network management means
- portal for receiving the management data from the plurality of computer network management means and presenting the management data in a predetermined format in a single browser workspace regardless of whether the plurality of computer network management means are compatible with each other, the portal means including:
 - client view means for providing a single browser workspace for receiving the management data and simultaneously generating client view data in the form of a plurality of application view windows for displaying a status of the enterprise network on a real-time basis in the single browser workspace and
 - workflow means for receiving the management data from the plurality of computer network management means and providing in response to the management data one or more workflows for responding to monitored operating events that are in need of correction

The Office Action also characterizes Smith as teaching "a workflow system (622 fig. 7B) coupled to the portal system, the workflow system receiving the management data from the plurality of computer network management systems and providing one or more workflows

response [*sic*, in response] to the management data, the work flows providing corrective measures that correct monitored operating events that are in need of correction (identifying and confirming orders by consumers, see fig. 7B, col. 12 line 16 to col. 13 line 35).”

As pointed out immediately above, Smith does not teach or suggest the recited computer network management means. Therefore, Smith’s workflow manager process 622 cannot receive management data from a plurality of computer network management systems, much less provide one or more workflows in response to such management data.

Further, Smith’s workflow manager process 622 does not perform any function relating to responding to monitored operating events that are in need of correction. Smith’s workflow manager process 622 is one or more application servers that process vehicle orders, convey those orders to dealerships 624, and also process order status inquiries. The processing of vehicle orders, conveyance of those orders to dealerships, and the processing of order status inquiries neither involve management data nor operating events, as those terms are used in the application.

Oberdorfer was cited only for its teaching of a browser, and does not remedy any of Smith’s deficiencies with respect to claim 1. Consequently, it is respectfully submitted that the invention as recited in claim 1 and the claims depending therefrom is patentable over Smith in view of Oberdorfer.

Claim 14, like claim 1, recites the providing of management data and the correction of monitored operating events in response to the management data. Therefore, the invention as recited in claim 14, and claim 17 depending therefrom, is respectfully submitted to be patentable over Smith in view of Oberdorfer for substantially the same reasons as discussed above with respect to claim 1.

With respect to claim 21, the Office Action characterizes smith as disclosing “a plurality of computer network management systems (330, 338, 334, 336 fig. 3) that provide management data for the enterprise network, each management [sic, system] producing web pages (implementing customizable general purpose web pages that contain short summaries of current news, weather, financial news and serve as a starting point for many web surfers and providing available products matching customer’s specification, col. 7 line 28 to col. 8 line 42 and see col. 8 lines 24-62).” It is respectfully submitted that this characterization of Smith is in error.

As discussed above with respect to the rejection of claim 1, Smith’s elements 330, 338, 334, and 336 do not provide management data for the enterprise network. Further, they do not produce any web pages. The function of providing web pages is served in Smith by the portal 318, as described in the portions referenced in the Office Action. Portal 318 accesses data stored in Smith’s databases 322 and 324, but is not directly associated with Smith’s elements 330, 338, 334, and 336. In fact, Smith’s elements 338, 334, and 336 are not even mentioned in column 7, line 28 through column 8, line 62 referenced in the Office Action; and Smith’s element 330 (the dealers) is mentioned only in the capacity of the dealers to represent any sales entity having inventory for sale or lease; dealers 330 are not mentioned in column 7, line 28 through column 8, line 62 in connection with the web pages included in the portal 318.

As with claim 1, Oberdorfer was cited only for its teaching of a browser, and does not remedy any of Smith’s deficiencies with respect to claim 21. Consequently, it is respectfully submitted that the invention as recited in claim 21 and the claims depending therefrom is patentable over Smith in view of Oberdorfer.

In view of the foregoing, it is respectfully submitted that the rejection of claims 1, 4, 5, 9, 13, 14, 17, and 21 should be withdrawn.

2. Claims 6, 7, 12, 16, and 18-20

In paragraph 5 of the Office Action, claims 6, 7, 12, 16, and 18-20 were rejected under section 103(a) as being unpatentable over Smith in view of Oberdorfer, and further in view of Pulliam. To the extent the Examiner may consider this rejection to be applicable to the claims as presently amended, it is respectfully traversed as being based upon references that do not teach or suggest the claimed invention.

In the Office Action, Pulliam was cited as teaching the limitations recited in claims 6, 7, 12, 16, and 18-20. However, it is respectfully submitted that Pulliam does not remedy the deficiencies of Smith and Oberdorfer with respect to independent claims 1 and 14, from which claims 6, 7, 12, 16, and 18-20 depend. It is therefore respectfully submitted that the invention as recited in claims 6, 7, 12, 16, and 18-20 is patentable over Smith in view of Oberdorfer, and further in view of Pulliam at least for the reasons set forth above with respect to the rejection of claims 1 and 14; and that the rejection should be withdrawn.

Conclusion

All rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

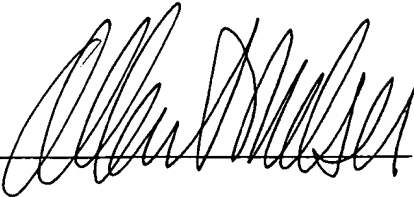
Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

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Customer No. 00,136
400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666

By: 

Allen S. Melser
Registration No.